

RESOLUTION NO. 42-2005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO SIGN A "REQUEST FOR TRANSFER OF TITLE TO PROPERTY" WITH CLACKAMAS COUNTY FOR TAX LOT #11E36CB03200.

WHEREAS, the City is partnering with the US Army Corps of Engineers to complete a feasibility study focusing on improving fish passage to Kellogg Creek; and

WHEREAS, the City may want to pursue modification of Kellogg dam in the future, returning Kellogg Lake to a natural stream bed which will need to be revegetated and maintained as a buffer zone; and

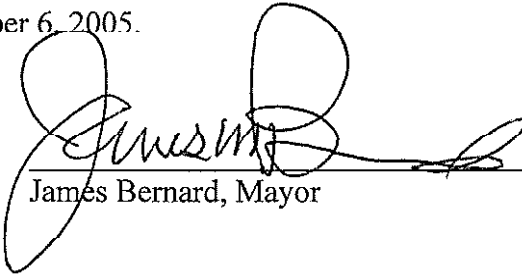
WHEREAS, Clackamas County Acquired Tax Lot #11E36CB03200 for back taxes and this property lies under Kellogg Lake; and

WHEREAS, under ORS Chapter 271, a county department or other governmental agency may request removal of a parcel from a proposed sale list by submitting a "Request for Transfer of Title to Property".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie that the City Manager is authorized to sign a "Request for Transfer of Title to Property" with Clackamas County for Lot #11E36CB03200.


Introduced and adopted by the City Council on September 6, 2005.

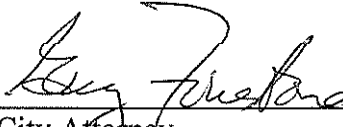
This resolution is effective on September 6, 2005.


James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Ramis, Crew, & Corrigan, LLP


Pat DuVal, City Recorder


City Attorney

APPENDIX "A"

REQUEST FOR TRANSFER OF TITLE TO PROPERTY

(A Separate Form Must Be Submitted For Each Parcel of Property Requested.)

This form is submitted pursuant to ORS 271.330, by a representative of the following governmental agency:

City of Milwaukie. This agency requests transfer of title to the following parcel of surplus property: property located at Map # 11E36C.B 03200.

Transfer of title to this property would help this agency pursue an adopted comprehensive, strategic or operational plan and serve a public purpose in the following manner (please attach formal documentation of the property use plan if available):

If and when the city decided to modify Kellogg dam to increase fish passage to Kellogg Creek, ownership of this property will allow enhancement, revegetation + protection of this riparian area.

This agency is prepared to pay a consideration for the parcel within six months of transfer, if this request is approved. It is understood that:

- 1) if the requested parcel was obtained by the County through a tax foreclosure proceeding, the consideration will be equal to the amount of the actual costs totaling \$ 4,456 as outlined by Property Resources; OR
- 2) if the requested parcel was obtained by the County through deed, this agency offers \$ _____, as consideration.

The source for these funds will be: Community Services Budget - Gen Fund.

PLEASE PRINT OR TYPE:

Submitted by:

JoAnn Herrigel

A Representative of:

City of Milwaukie

Mailing Address:

10722 SE Main St.
Milwaukie, OR 97222

Telephone Number:

503-786-7508

Date Submitted: _____

Signature: _____

JoAnn Herrigel

ACCEPTANCE FORM

The conveyance of property located at Map #11E 36CB 03200 is approved and accepted as to form and content by this agency.

PLEASE PRINT OR TYPE

Representative name Mike Swanson

Representative position City Manager

Agency name City of Milwaukie

Signature [Signature]

Dated the 6 day of September, 2005

DEED RECORDING INFORMATION:

Grantor: Clackamas County

Grantee: City of Milwaukie

Until further notice, taxes shall be sent to:

Attn: Pat DuVal, City Recorder

Address: 10722 SE Main St.

City, State, Zip: Milwaukie, OR 97222